

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 05-00248 JMS (03)
)	
Plaintiff,)	
)	
VS.)	
)	
)	
KEVIN PATRICK CASH, (03),)	
)	DECLARATION OF COUNSEL
Defendant.)	
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DECLARATION OF COUNSEL

I, MARY ANN BARNARD, hereby declare as follows:

1. That I am counsel for defendant, KEVIN PATRICK CASH, having been appointed under the Criminal Justices Act following a hearing held on July 8, 2005 allowing prior counsel to withdraw. (Exhibit A).

2. This case began with two months of plea agreement negotiations, which unexpectedly resulted in Defendant's decision to go to trial.

3. Defendant's decision to go to trial resulted in delays, including 4 superseding indictments, release status disputes arising from Defendant's belated decision to go to trial, severance issues, and mental health and attorney-client issues

pertaining to the co-defendant.

4. Declarant is a self-employed solo practitioner, and the delays have reached the heavier self-employment tax period, where self-employment taxes are due in both April and June, and, in Declarant's case, State general excise taxes are also due in June 2006.

5. Although Declarant does not require bi-monthly billing vouchers under paragraph 2.30 A of the Guidelines for the Administration of the Criminal Justice Act, it would be a financial hardship for counsel to wait until the conclusion of this matter to submit an attorney fee request voucher.

6. Declarant therefore requests an order approving an interim 6-month voucher for hours spent and expenses incurred in these matter for the first 6 months of Declarant's representation.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED: Honolulu, Hawai'i, March 24, 2006.



MARY ANN BARNARD